

## HUMAN SERVICES BOARD

# INTRODUCTION

## FINDINGS OF FACT

2. At the hearings (held on August 28 and September 25, 2006) the petitioner did not dispute the Department's determination that her countable household income was \$3,219

<sup>2</sup> The petitioner's children were found eligible for Dr. Dynasaur benefits.

a month,<sup>3</sup> which is in excess of the VHAP maximum of \$3,092 for a four-person household with minor children.

3. The petitioner was advised to immediately reapply for VHAP if her household's income falls below the above monthly program maximum.

ORDER

The Department's decision in Fair Hearing No. 20,448 is affirmed. Fair Hearing No. 20,268 is dismissed as moot.<sup>4</sup>

REASONS

Under the VHAP regulations, all earned income, except a \$90 disregard, is included as countable income for eligibility. In addition, all Social Security benefits received by any household member are counted as unearned income. W.A.M. § 4001.81(b). There is no dispute that as of the dates of her application and hearing the petitioner had countable income in excess of the maximum for eligibility under the VHAP program for a four-person family with children, which is \$3,092. P-2420 B. Thus, the Department's

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<sup>3</sup> That income includes the petitioner's wages and Social Security benefits received by her husband and both children.

<sup>4</sup> See footnote 1, *supra*.

decision finding the petitioner and her husband ineligible  
for VHAP based on their May 2006 review must be affirmed. 3  
V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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